

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DAVID POEHLER,	)	
	)	NO. 04cv30254-MAP
Plaintiff,	)	
	)	
v.	)	
	)	
JOHN E. POTTER, Postmaster	)	
General,	)	
	)	
Defendants.	)	
	)	

MOTION TO EXTEND DISCOVERY SCHEDULE

The defendant, John E. Potter, by his attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, moves to extend the deadline for discovery by 40 days. The current deadline for completing non-expert discovery is November 4, 2005. As grounds for this motion, the defendant states the following:

1. The defendant has not received responses to written discovery served on the plaintiff on June 15, 2005. The defendant has this date made a written demand on the plaintiff for a discovery conference as a prelude to filing a motion to compel.

2. The defendant noticed the plaintiff's deposition for October 11, 2005. On October 10, 2005, the plaintiff's counsel informed the defendant's counsel by e-mail that he would be unavailable on that date.

The defendant requests the 40-day extension of the discovery schedule in order to have sufficient time to obtain compliance

with written discovery and depose the plaintiff.

In accordance with Local Rule 7.1, the undersigned Assistant U.S. Attorney certifies that she attempted unsuccessfully to reach the plaintiff's counsel to confer with respect to this motion.

WHEREFORE, the defendant respectfully requests that the deadline for non-expert discovery be extended to December 14, 2005.

Respectfully submitted:

MICHAEL J. SULLIVAN  
United States Attorney

By:

/s/Karen L. Goodwin  
Karen L. Goodwin  
Assistant U.S. Attorney  
1550 Main Street  
Springfield, MA 01103  
413-785-0235

Dated: October 14, 2005

CERTIFICATION

This is to certify that a copy of the foregoing was mailed this date, postage prepaid, to Edward Pikula, O'Connor, Martinelli, Cullinan & Pikula, 1391 Main Street, Suite 1022, Springfield, MA 01103.

/s/Karen L. Goodwin  
Karen L. Goodwin